

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**February 19, 1998**

**DIVISION TWO**

B097484      Liontos, et al.                      (Certified for Publication)  
                 v.  
                 County Sanitation Districts of Los Angeles County, et al.

The summary judgments are reversed. Plaintiff and appellant to recover costs on appeal.

Zebrowski, J.

We concur:    Boren, P.J.  
                     Fukuto, J.

**DIVISION THREE**

B093473      People                                      (Not for Publication)  
                 v.  
                 Carter

The Court:

The matter is remanded and the trial court is ordered to record its reasons for striking the prior conviction allegations in the minutes in compliance with the requirements of Penal Code section 1385, subdivision (a). In all other respects, the judgment is affirmed.

Croskey, Acting P.J., Kitching, J., Aldrich, J.

DIVISION FOUR

Court convened at 9:00 A.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Baron, J., Czuleger, J. (Assigned), and Jim Guzman, Deputy Clerk.

Each of the following:

B115916 Konialian v. Thomas  
B110519 People v. McGhee  
B110602 People v. Martinez  
B108677 People v. Jorge M.  
B110890 People v. Sanchez  
B115507 D.F.C.S v. Pamela H.  
B095335 People v. Reed  
B104921 People v. Arenas  
B108274 People v. Fulton  
B104280 People v. DeLaTorre  
B111373 People v. Sample  
B102340 Marquay v. Kornfeld  
B115924 Barroga v. Gillan  
B111057 DiLeonardo v. Wells Fargo Bank

Argument waived, cause submitted.

B113626     Barfoot  
              on  
              Habeas Corpus

Merits:

Argued by Paula Montez for petitioner and by Douglas L. Wilson for respondent. Cause submitted.

DIVISION FOUR (Continued)

B106940     People v. Lacey  
B118151     Lacey on Habeas Corpus

Merits:

Argued by Marylou Hillberg for appellant and petitioner and by Julie H. Swoboda for respondent. Cause submitted.

B106129     People  
                 v.  
                 Smith

Merits:

Argued by Sara H. Ruddy for appellant and by Theresa A. Cochrane for respondent. Cause submitted.

B117369     Sanberg  
                 v.  
                 Superior Court of Los Angeles  
                 (Kretschmer, r.p.i.)

Merits:

Argued by Lynn O. Poulson for petitioner and by Gene E. Goldman for real party in interest. Cause submitted.

B118164     Department of Children and Family Services  
                 v.  
                 Superior Court of Los Angeles  
                 (Paul C., r.p.i.)

Merits:

Argued by Judith A. German for petitioner and by Mitchell L. Beckloff for real party in interest. Cause submitted.

DIVISION FOUR (Continued)

B107650     Adams  
              v.  
              Betz Laboratories

Merits:  
Argued by James B. Kropff for appellants and by Craig H. Bell for respondents. Cause submitted.

B117221     Malima W.  
              v.  
              Superior Court of Los Angeles  
              (Department of Children & Family Services, r.p.i.)

Merits:  
Argued by Darold M. Shirwo for petitioner and by Kim Kedeshian, Lisa K. Rozzano and Michael I. Levanas for real parties in interests. Cause submitted.

B110257     Fallen  
              v.  
              Stein

Merits:  
Argued by Maria A. Caligiuri for appellants and by Felicia R. Meyers for respondents. Cause submitted.

B116328     Interactive Multimedia Artists  
              v.  
              Superior Court of Los Angeles  
              (Allstate Insurance , r.p.i.)

Merits:  
Argued by John M. Genga for petitioner and by Paul L. Warner for real party in interest. Cause submitted.

Court recessed.

DIVISION FOUR (Continued)

The Court reconvened at 1:30 P.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Baron, J., Czuleger, J. (Assigned), and Jim Guzman, Deputy Clerk.

B110095     People  
              v.  
              Fernandez

Merits:  
Argued by David B. Harrison for appellant and by Christina Russotto for respondent. Cause submitted.

B104913     People  
              v.  
              Robinson

Merits:  
Argued by Louis N. Hiken for appellant and by Suzann E. Papagoda for respondent. Cause submitted.

B109496     Mitko  
              v.  
              City of Bell Gardens

Merits:  
Argued by Paul R. Cole for appellants and waiver of oral argument by respondent. Cause submitted.

B110856     People  
              v.  
              Coates-Jarman

Merits:  
Argued by Michael Ian Garey for appellant and by Wendy Chase Arenson for respondent. Cause submitted.

DIVISION FOUR (Continued)

B110180      Chan  
                 v.  
                 Regents of the University of California

Merits:

Argued by Olivia A. Burgos for appellant and by Anthony R. Segall and Kathryn R. Janssen for respondents. Cause submitted.

Court adjourned.

DIVISION FIVE

B109980      Jonathan Louis International Ltd., Inc.                      (Not for Publication)  
                 v.  
                 State Compensation Insurance Fund

The appeal is dismissed. SCIF is awarded its costs on appeal.

Grignon, J.

We concur:    Turner, P.J.  
                         Armstrong, J.

B114756      People                                      (Not for Publication)  
                 v.  
                 Mack A. Foster

The judgment is affirmed.

Godoy Perez, J.

We concur:    Grignon, Acting P.J.  
                         Armstrong, J.

DIVISION FIVE (Continued)

B116195      Myresheia W.                      (Certified for Publication)

v.

Superior Court, Los Angeles County

(The People, r.p.i.)

The petition for writ of mandate is denied.

Jackson, J. (Assigned)

We concur:    Turner, P.J.

Armstrong, J.

B112826      People                                      (Not for Publication)

v.

James Bundy, Jr.

The judgment is affirmed.

Godoy Perez, J.

We concur:    Turner, P.J.

Armstrong, J.

B109237      People                                      (Not for Publication)

v.

Floyd Eugene Masterson

The judgment is affirmed.

Armstrong, J.

We concur:    Turner, P.J.

Godoy Perez, J.

DIVISION FIVE (Continued)

B099455      Ignatius Oguejifor Nweke      (Not for Publication)

v.  
Allstate Insurance Company et al.

The judgment is affirmed.

Armstrong, J.

We concur:   Grignon, Acting P.J.  
                  Godoy Perez, J.

B108564      Richard Salant      (Not for Publication)

v.  
Spensley, Horn, Jubas & Lubitz etc., et al.

The judgment is reversed. Respondents are to bear the costs of appeal.

Armstrong, J.

We concur:   Turner, P.J.  
                  Grignon, J.

B106467      Ed Artis & Assoc. et al.      (Not for Publication)

v.  
Jeffrey Preach et al.

The judgment is affirmed.

Armstrong, J.

We concur:   Turner, P.J.  
                  Godoy Perez, J.



## February 19, 1998-Continued

## DIVISION FIVE (Continued)

B114857      People                                  (Not for Publication)  
v.  
**William Francis Hardeman**

We order that the abstract of judgment be modified to reflect that appellant has 133 days of actual "presentence" custody and 66 days of "presentence" conduct and work credit, for a total of 199 days of "presentence" credit as of April 4, 1996, and to instruct the Department of Corrections to credit the time appellant spent in state prison between April 4, 1996 and July 29, 1997, including any conduct or work credit, to his sentence under the July 29, 1997 order.

Armstrong, J.

We concur: Grignon, Acting P.J.  
Godoy Perez, J.

B105348      Henry A. Lezine      (Not for Publication)  
v.  
Chicago Title Insurance Company

The judgment is affirmed. Appellant to bear the costs of appeal.

Armstrong, J.

We concur: Grignon, Acting P.J.  
Godoy Perez, J.

B110351      Gene Gentis et al.                      (Certified for Publication)  
v.  
Safeguard Business Systems Inc. et al.

Filed order denying petition for rehearing or for modification of the opinion.

DIVISION SIX

B106480      Wells Fargo Bank      (Not for Publication)  
                 v.  
                 Williams et al.

The judgment is affirmed. Appellant is ordered to pay respondents' costs on appeal.

Stone, P.J.

We concur:   Gilbert, J.  
                 Yegan, J.

B114304      People      (Not for Publication)  
                 v.  
                 Lee

The judgment is affirmed.

Stone, P.J.

We concur:   Yegan, J.  
                 Coffee, J.

B118024      Paul L.      (Not for Publication)  
                 v.  
                 Santa Barbara County Superior Court  
                 Santa Barbara County DPSS, RPI

The petition is denied.

Coffee, J.

We concur:   Gilbert, Acting P.J.  
                 Yegan, J.

## February 19, 1998-Continued

## DIVISION SIX (Continued)

B112767 Owens (Not for Publication)  
v.  
Udd

The judgment is affirmed. Costs are awarded to respondent.

Coffee, J.

We concur:   Gilbert, Acting P.J.  
                      Yegan, J.

[illegible]

The judgments are affirmed.

Gilbert, Acting P.J.

We concur: Yegan, J.  
Coffee, J.

B112758 People (Not for Publication)  
v.  
Ortega

The judgment is affirmed.

Yegan, J.

We concur:   Stone, P.J.  
                      Gilbert, J.

## February 19, 1998-Continued

## DIVISION SIX (Continued)

B111842      People                          (Not for Publication)  
v.  
Pekrul

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The judgment is affirmed.

Coffee, J.

We concur:   Stone, P.J.  
                      Yegan, J.

B113473      Patterson      (Not for Publication)  
v.  
County of Ventura

The judgment is affirmed. Costs are awarded to respondent.

Gilbert, J.

We concur:   Stone, P.J.  
                      Coffee, J.

B110311      Huneycutt                      (Not for Publication)  
v.  
Chammout

The judgment is affirmed. Costs to respondent.

Yegan, J.

We concur:   Stone, P.J.  
                      Gilbert, J.

## February 19, 1998-Continued

## DIVISION SIX (Continued)

B117951      Jennifer V.      (Not for Publication)  
v.  
S.L.O. County  
Dept. of Social Services

The petition is denied.

Yegan, J.

We concur:   Stone, P.J.  
                      Gilbert, J.

B110243      People  
v.  
Douglas

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment.)

B112752      Hellweg      (Certified for Publication)  
v.  
Cassidy

The judgment is affirmed. Costs are awarded to respondents.

Stone, P.J.

We concur:    Gilbert, J.  
                         Yegan, J.

## February 19, 1998-Continued

## DIVISION SIX (Continued)

B110973 People (Certified for Publication)

V.

# Ranger Insurance Company

The orders denying Ranger's motion to vacate the forfeiture and granting summary judgment are affirmed.

Coffee, J.

We concur: Stone, P.J.

Yegan, J.

B107591      Pattiz      (Certified for Publication)

V.

Minye

The judgment is affirmed. Pattiz shall bear costs on appeal.

Gilbert, J.

We concur: Stone, P.J.

Yegan, J.

## DIVISION SEVEN

B114473 Brezae (Not for Publication)

V.

Superior Court, Los Angeles County  
(Edelman, et al., r.p.i.)

The petition is granted. Let a writ of mandate issue ordering the superior court to vacate its Order Staying Proceedings and enter a new order denying the petition to compel arbitration. Petitioner is entitled to costs incurred in connection with the petition.

Johnson, Acting P.J.

I concur: Woods, J.

I dissent:      Neal, J. (Opinion)